



## APPENDIX K A-E CONTRACTING PROCESS

### ABBREVIATIONS:

A-E = ARCHITECT-ENGINEER  
 PNO = PRICE NEGOTIATION OBJECTIVES  
 PnM = PRENEGOTIATION MEMORANDUM  
 PNM = PRICE NEGOTIATION MEMORANDUM  
 SOW = SCOPE OF WORK  
 T.O. = TASK ORDER

### ARCHITECT-ENGINEER CONTRACTING PROCESS

ACTIVITIES ARE DEFINED ON PAGES K-2 THROUGH K-4

ACTIVITIES IN ITALICS ARE NOT REQUIRED FOR TASK ORDERS

ACTIVITY NOT REQUIRED  
FOR ALL CONTRACTS OR  
TASK ORDERS

## **A-E CONTRACTING PROCESS ACTIVITY DEFINITIONS**

### **ACQUISITION PLANNING PHASE**

Authorization. Receipt of a formal authorization or customer request to initiate a project or A-E contract. Assignment of the project or contract to project delivery team members in project management, engineering, contracting and other appropriate functional areas.

Review of Requirements. Review of the project or contract requirements. Coordination with the customer to understand and refine the requirements, and obtain other pertinent information.

Preliminary Scope of Work (SOW). Preparation of the preliminary SOW based on review of the requirements and coordination with technical personnel and the customer.

Acquisition Plan. Decision on performance by the traditional design-bid-build method or an alternative method such as design-build (not procured as A-E services). Decision on which portion of work, if any, will be done by in-house personnel. Decision on packaging in one or multiple A-E contracts. Decision on appropriate A-E contract type. Development of a project management plan, including preliminary SOW, preliminary project budget (including preliminary estimate of A-E fee), schedule, and informal or formal acquisition plan, and their coordination with the customer and/or higher authority. Verification of the availability of funding with the customer.

Small Business Coordination. Coordination with the DSB and the SBA to identify prime contract and subcontracting opportunities for SB and SDB firms. Decision on set-aside for SB, ESB, 8(a) or HUBZone A-E firms. Preparation of DD Form 2579, Small Business Coordination Record.

**SELECTION PHASE** (Not applicable for task orders. However, if a task order can be issued under more than one ID contract, then the decision on which contract to use must be documented in the contract file. See EFARS 16.505(b)(1).)

Preparation of Synopsis. Preparation of the synopsis based on the preliminary SOW, and review and approval, as required. Electronic transmission of the synopsis to the FedBizOpps.

Synopsis Period. Minimum 30 days response period as required by FAR 5.203(c), for contracts expected to exceed the SAT.

Detailed Scope of Work. Development of a detailed SOW, including a description of the facility or project, design criteria, specific contract services and products, performance schedule, quality control requirements, and administrative instructions.

Preselection. A preselection board is optional. If a preselection board is not held, its functions will be performed by the selection board. Gathering and organizing documents for

evaluation by preselection and selection boards, including SFs 254 and 255 and performance evaluations. Conducting the preselection board and preparation of the board report. Scheduling board meetings, appointing board members, and preparing worksheets for both the preselection and selection boards should be done during the synopsis period.

Selection. Conducting a selection board and preparation of the board report.

Selection Approval. Review and approval of the selection report in accordance with the delegated selection authority in EFARS 36.602-4.

## **PROPOSAL PHASE**

Request for Price Proposal (RFPP). Formal notification of selection for negotiation of a contract and RFPP sent to the most highly qualified firm. An RFPP is also sent for a task order under an ID contract. The RFPP includes the draft contract (not applicable to task orders), SOW, project documentation and design criteria.

Scope of Work Review by A-E. Review of the SOW, project documentation and design criteria by the A-E firm to prepare for the preproposal conference, if needed, and the development of its proposal.

Preproposal Conference. Conference(s) among the A-E firm, USACE personnel, customer and others as appropriate to discuss and refine project and contract requirements. Conference(s) may be by telephone, at the project site, in the firm's office or elsewhere, as appropriate.

Revised Scope Of Work. Resolution of any issues raised at the preproposal conference(s) and revision of the SOW accordingly.

Detailed Government Estimate. Preparation and approval of an IGE based on a detailed analysis of the SOW as required by FAR 36.605. Coordination with the customer and/or higher authority on estimated funding requirements.

A-E Price Proposal. Preparation and submission of a price proposal by the A-E firm. Includes preparation of a small business subcontracting plan if the A-E firm is a large business and the proposal exceeds \$500,000 (not applicable for task orders).

Fact-Finding. Obtaining information in order to understand the A-E price proposal and its assumptions, and to clarify any ambiguities, omissions or uncertainties in the RFPP and SOW prior to negotiations (FAR 15.406-1(a)). After fact-finding, a revised proposal may be requested.

## **NEGOTIATION PHASE**

Technical Analysis. Evaluation of the judgmental elements of the A-E proposal in accordance with FAR 15.404-1(e).

Audit. If considered necessary by the KO (FAR 15.404-2(a)).

Cost/Price Analyses and Prenegotiation Objectives (PNO). Evaluation of all cost elements of the A-E proposal in accordance with FAR 15.404-1(c), using the results of the technical analysis and the audit, if performed. Evaluation of the total price of the proposal and, as appropriate, the prices of phases or items of work in accordance with FAR 15.404-1(b). Based on the technical, cost and price analyses, development of the PNO in accordance with FAR 15.406-1. The proposal analysis and PNO are documented in a Prenegotiation Memorandum (PnM). Coordination with customer and/or higher authority on estimated funding requirements.

PnM Review and Approval. Review and approval of the PnM, in accordance with local procedures.

Negotiation. Negotiation of a fair and reasonable price in accordance with the PnM. Includes negotiation of an acceptable small business subcontracting plan (if applicable) and approval by the KO prior to contract award.

## **CONTRACT AWARD PHASE**

Negotiation Documentation. Preparation of a PNM in accordance with FAR 15.406-3, preparation of the final SOW as a result of clarifications and changes during negotiations, and receipt of the final A-E proposal.

Funding Certification. Requesting, receiving and certifying the funds to award the contract or issue the task order.

Price Negotiation Memorandum (PNM) Review and Approval. Review and approval of the PNM in accordance with local procedures.

Contract Preparation. Preparation of SF 252, Architect-Engineer Contract, or preparation of DD Form 1155, Order for Supplies or Services, for a task order.

Contract Review and Award. Final review of the contract documentation and signing of the contract by the KO and the A-E firm, or signing of the task order by the KO.